

EXHIBIT D

MINISTRY OF JUSTICE
SECRETARIAT OF ECONOMIC LAW

ORDER BY THE SECRETARY
On September 13, 2007

No. 679 - Reference: Administrative Proceedings No. 08012.008678/2007-98. Complainant: Secretariat of Economic Law *ex officio*. Respondent: Construtora Norberto Odebrecht S.A. Attorneys: Ubiratan Mattos *et al.* I hereby accept the technical note of page..., approved by the Director of the Department of Economic Protection and Defense, Dr. Ana Paula Martinez, and with grounds on Paragraph One of Article Fifty of Act No. 9.784/99, I hereby incorporate its reasons to this decision, including as its motivation. I hereby decide for the filing of Administrative Proceedings against the Respondent to find an occurrence of violation to the economic order comprising the alleged market foreclosure in relation to competitors' access to (i) suppliers of generators, bulb turbines and related equipment; (ii) suppliers of electric, electro-mechanical and hydro-mechanical equipment; and (iii) private banks and insurers to participate in the auctions of concession of hydroelectric plants of Santo Antônio (RO) and Jirau (RO), subject to punishment under Article 20, Items I and II, combined with Article 21, Items V and VI of Act No. 8.884/94, by recognizing sufficient evidence for the filing thereof in the facts mentioned in said note. Furthermore, having verified the possibility and imminence of irreparable damages or damages of difficult redress to the competition in relation to the access to suppliers of generators, bulb turbines and related equipment, I hereby decide for the adoption of a **PROVISIONAL REMEDY** based on Article 52 of Act No. 8.884/94, hereby determining: (i) the immediate annulment of the clause contained in the *Minutes of the Meeting* signed on 01.11.2006 between Construtora Norberto Odebrecht S.A. and General Electric Company related to the latter's agreement not to compete with the consortium headed by the Respondent to participate in the auctions of concession of hydroelectric plants of Santo Antônio and Jirau, thus requiring that General Electric Company will not be exclusively bounded to any other consortium to participate in said concession auctions; and (ii) the immediate partial annulment of the exclusivity clause appearing in the *Confidentiality and Exclusivity Agreement* signed on 06.12.2006 and amended on 10.26.2006 by and between Construtora Norberto Odebrecht S.A. and Alstom Hydro Energia Brasil Ltda., VA Tech Hydro Brasil Ltda. and Voith Siemens Hydro Power Generation Ltda. so as to allow the companies being part of the economic groups Alstom, VA Tech and Voith Siemens to be able to, after the holding of each of the auctions, negotiate with the winning consortium of each auction aiming at supplying equipment and related services if the consortium headed by the Odebrecht Group is not the winner in each of such auctions. Bearing in mind the gravity of the verified facts and the Respondent's economic situation, I hereby further determine the setting of a daily fine in case of violation to the Provisional Remedy in the amount of One hundred thousand Reais (R\$ 100,000.00) until the final decision of this administrative proceeding. Respondent to be notified in order to, if willing, submit its defense, within the legal time period, under penalty of default, under terms of Paragraphs One and Two of Article Thirty-Three of Act No. 8.884/94.

Publish.

[Signed]

MARIANA TAVARES DE ARAÚJO
SECRETARY OF ECONOMIC LAW